

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

Claims 1-3, 5-11, 13-20, and 22-31 are currently pending in the application, and claims 1, 10, 17, 24, and 30 are amended. In particular, independent claims 10 and 17 are amended to incorporate the features of allowable claim 12, which is canceled. Claims 1 and 30 are amended to more clearly recite the invention by reciting the “plurality of different templates *of the structural components*”. Support for this amendment can be found in the specification on page 14, lines 12-16. Care has been taken to avoid the addition of new matter.

Rejection of Claims Under 35 U.S.C. §103

Claims 1, 2, 6, 9-11, 17-27 and 30-31 are rejected under 35 U.S.C. § 103(a) as unpatentable over Kato, U.S. Patent 6,665,446 in view of Kobayashi et al., U.S. Patent Application Publication No. 2002/0118278 (hereinafter “Kobayashi”). Claims 3, 5, 7, 8, 28 and 29 are rejected under 35 U.S.C. § 103(a) as unpatentable over Kato in view of Kobayashi, and further in view of Haruhiro, “Magnification Endoscope in the Esophagus and Stomach”. These rejections should be withdrawn based on the comments and remarks herein.

Independent claims 1 and 30 are amended to recite that the different templates are templates of the structural components, and neither Kato nor Kobayashi discloses this feature. Kato discloses “[elliptical] templates having plural radii [that] are prepared in advance” (column 8, lines 19-20), but does not teach or suggest templates of structural components. Kobayashi teaches comparing input or read image data to referential, or retrieved and stored, image data (paragraphs [0076]-[0077]), but does not teach or suggest any templates or templates of

structural components. Thus, the combination of Kato and Kobayashi does not teach or suggest each feature of independent claims 1 and 30, so that these claims, as well as their dependent claims, claims 2-9, 28-29, and 31, patentably distinguish over the art of record in the application.

The Examiner states that claim 12 is merely objected to as being dependent upon a rejected base claim, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Independent claims 10 and 17 are amended to incorporate the features of allowable claim 12. Accordingly, applicant submits that these claims, as well as their dependent claim, claim 11, are allowable.

The Examiner contends that the hypothetical combination of Kato and Kobayashi discloses inputting a reference image including information to specify a structural component to be extracted and thus this combination anticipates independent claim 18. Applicant respectfully disagrees. As the Examiner acknowledges, Kato does not teach or suggest “evaluation of a result of matching”. Accordingly, Kato does not teach or suggest a reference image from which a result of matching would be evaluated. Hence, Kato does not teach or suggest a reference image including information to specify a structural component to be extracted. Kobayashi does not overcome this deficiency because Kobayashi also does not specify a structural component to be extracted from a reference image. Instead, Kobayashi teaches comparing two entire images, e.g., read image data and referential image data. Thus, the hypothetical combination of Kato and Kobayashi does not teach or suggest each feature of independent claim 18, so that this claim and its dependent claim, claim 19, patentably distinguish over the art of record in the application.

Further, the Examiner asserts that Kato teaches an amount of feature based on a width of the structural component extracted in the extraction step. Applicant respectfully disagrees. Kato discloses “quantization processors which respectively perform quantization processing on the

wavelet conversion coefficients”, such that both small quantization coefficients (quantization coefficients with narrow quantization step widths) and large quantization coefficients (quantization coefficients with wide quantization step widths) are used (column 4, lines 10-20, emphasis added). In other words, Kato discloses widths of quantization steps. Kato does not teach or suggest a width of a structural component, as recited in independent claim 20. Kobayashi does not overcome this deficiency because Kobayashi does not teach or suggest structural components or widths of structural components. Thus, the combination of Kato and Kobayashi does not teach or suggest each feature of independent claim 20, so that this claim and its dependent claims, claims 21-23, patentably distinguish over the art of record in the application.

Finally, the Examiner contends that independent claims 24 and 26 are rejected for reasons analogous to those presented for claims 1, 2, 6, 9, 17, 18 and 20. However, claims 24 and 26 recite “an image comprising a plurality of color signals”, which is not recited in any of claims 1, 2, 6, 9, 17, 18 and 20. Hence, applicant respectfully submits that the Examiner failed to apply any art to the limitations of independent claims 24 and 26, so that these claims, as well as their dependent claims, claims 25 and 27, are allowable.

Withdrawal of these rejections is respectfully requested.

Allowable Subject Matter

Applicant appreciates that claims 12-16 are merely objected to as being dependent upon a rejected base claim, and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As discussed above, the features and limitations of claim 12 are added to independent claims 10 and 17, so that these claims include

all of the limitations of the base claim as well as the limitations of claim 12. Hence, claims 10 and 17 are allowable.

Conclusion

In light of the foregoing, Applicant respectfully submits that all pending claims recite patentable subject matter, and kindly solicits an early and favorable indication of allowability. If the Examiner has any reservation in allowing the claims, and believes a telephone interview would advance prosecution, he is kindly requested to telephone the undersigned at his earliest convenience.

Respectfully Submitted,



Katherine R. Vieyra
Registration No. 47,155

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 (telephone)
(516) 742-4366 (facsimile)

KRV:cc